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TO: Commissioner for Patents FROM: Charles B. Cappellari U.S. Patent & Trademark Office Gen-Probe Incorporated 10210 Genetic Center Drive Facsimile No. (703) 872-9306 San Diego, California 92121 Phone No. (858) 410-8927 Facsimile No. (858) 410-8928 Number of pages (including this cover page): In re Patent Application of: Group Art Unit: 1631 McDONOUGH et al. Examiner: Marschel, A.H.

Serial No. 08/480,472) Atty. Docket No. GP034-03.DV1
)
Filed: June 6, 1995) Confirmation No. 9286

Title: NUCLEIC ACID SEQUENCE) Date: November 16, 2004

AMPLIFICATION)

Transmitted herewith are the following:

- 1) Transmittal Form, Form PTO/SB/21 (1 pg.);
- 2) Fee Transmittal, Form PTO/SB/17 in duplicate (2 pgs.);
- 3) Petition for Extension of Time, Form PTO/SB/22 in duplicate (2 pgs.);
- Reply Under 37 C.F.R. § 1.111 (4 pgs.);
- 5) Declaration Under 37 C.F.R. § 1.132 (3 pgs.), with attached Exhibits A-E (15 pgs.);
- 6) Supplemental Information Disclosure Statement with PTO/SB/08b in duplicate (4 pgs.);and
- Non-patent cited reference (Stahl et al.) (9 pgs.).

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Date: November 16, 2004

Charles B. Cappellari Registration No. 40,937

PTO/SB/21 (09-04) Approved for use through 07/31/2008, OMB 0651-0031 U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number. Application Number 08/480.472 Filing Date TRANSMITTAL June 6, 1995 First Named Inventor FORM Sherrol H. McDonough Art Unit 1631 Examiner Name Marschel, A. (to be used for all correspondence after initial filing) Attorney Docket Number GP034-03.DV1 Total Number of Pages in This Submission **ENCLOSURES** (Check all that apply) After Allowance Communication to TC ~ Fee Transmitta) Form Drawing(s) Appeal Communication to Board Licensing-related Papers Fee Attached of Appeals and Interferences Appeal Communication to TC ~ Petition (Appeal Notice, Brief, Reply Brief) Amendment/Reply Petition to Convert to a Proprietary Information After Final Provisional Application Power of Attorney, Revocation ~ Status Letter Change of Correspondence Address Affidavits/declaration(s) Other Enclosure(s) (please Identify Terminal Disclaimer **Extension of Time Request** below): 1 non-patent cited reference (9 pgs.) Request for Refund PTO/\$B/08b in duplicate (2 pgs.) Express Abandonment Request Facsimile Cover Sheet (1 pg.) CO, Number of CD(s) Information Disclosure Statement Landscape Table on CD Certified Copy of Priority Remarks Document(s) Reply to Missing Parts/ Incomplete Application Reply to Missing Parts under 37 CFR 1.52 or 1.53 SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT Firm Name Gen/Probe/Incorporated Signature Printed name Charles B. Cappellari Date Reg. No. 40.937 November 16, 2004 CERTIFICATE OF TRANSMISSION/MAILING I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below: Signature Date 40,937

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Charles B. Cappellari

Typed or printed name

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PTO/SB/17 (10-04)

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EEE TO ANOMITTAL	Complete if Known		
FEE TRANSMITTAL	Application Number	08/480,472	

June 6, 1995 Filing Date for FY 2005 Sherrol H. McDonough First Named Inventor Effective 10/01/2004. Patent fees are subject to annual revision. Marschel, A. **Examiner Name** Applicant claims small entity status. See 37 CFR 1.27 1631 Art Unit (\$) 610.00 GP034-03.DV1 TOTAL AMOUNT OF PAYMENT Attorney Docket No. FEE CALCULATION (continued) METHOD OF PAYMENT (check all that apply) Money Order 3. ADDITIONAL FEES Check Credit card Other None Large Entity , Small Entity ✓ Deposit Account: Fee (\$) Fee Code Fee Description Deposit Account Code Fee Paid 07-0835 1051 2051 65 Surcharge - late filing fee or oath 130 Number 25 Surcharge - late provisional filing fee or Deposit 2052 1052 50 Gen-Probe Incorporated Account Name 130 Non-English specification 1053 1053 130 The Director is authorized to: (check all that apply)

Chargo (ee(s) indicated below Credit any overpayments	1012 2,320	1812 2,320 Tell liming a request for ox parts recommended	
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	1251 110	2251 55 Extension for reply within first month	
FEE CALCULATION	1252 430	2252 215 Extension for reply within second month	430.00
1. BASIC FILING FEE			
Large Entity Small Entity	1253 980	2253 490 Extension for reply within third month	
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Code (\$) Code (\$) 1001 790 2001 395 Utility tilling fee	1255 2,080	2255 1,040 Extension for reply within fifth month	 •
1002 350 2002 175 Design filing fee	1401 340	2401 170 Notice of Appeal	-
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1004 790 2004 395 Reissue filing fee	1403 300	2403 150 Request for oral hearing	
1005 160 2005 80 Provisional filing fee	1451 1,510	1451 1,510 Petition to institute a public use proceeding	
SUBTOTAL (1) (\$)	1452 110	2452 55 Petition to revive - unavoidable	
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2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE	1501 1,370	2501 685 Utility issue fee (or reissue)	
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SUBMITTED BY					(Complete (i	(applicable))
Name (Print/Type)	Charles B. Carpellari	C	Registration No. (Attorney/Agant)	40,937	Telephone	858-410-8927
Signature	2/1				Date	November 16, 2004

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(37 CFR 1.129(a))

395 For each additional invention to be

examined (37 CFR 1.129(b))

900 Request for expedited examination

of a design application

395 Request for Continued Examination (RCE)

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Independent claims in excess of 3

** Relssue independent claims

** Reissue claims in excess of 20 and over original patent

over original patent

Multiple dependent claim, if not paid



TRANSMIT

Complete if Known

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FEE [KANSIMITIAL			Application Number		08/480,4	08/480,472				
for FY 2005			Filing Date -		June 6,	June 6, 1995				
		First Named Inventor Sherro			or Sherrol	H. McDonough				
Effective 10/01/2004. Potent fees are subject to annual revision.			Examiner Name Marsch			el, A.				
Applicant claims small entity status. See 37 CFR 1.27			Art Unit 1631			1631				
TOTAL AMOUNT OF PAYMENT (\$) 610.00		Attom	ey Doc	ket No	GP034-	03.DV1			
METHOD OF PAYMENT (check all t				FEE	CALCULAT	ION (con	tinued)			
Check Credit card Money Order	Other None	3. ADDITIONAL FEES								
Deposit Account:			Large Entity Small Entity Fee Fee Fee Fee Fee Description							
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SUBMITTED BY (Complete (if applicable))										
Name (Print/Type) Charles B. Catapallari c Registration No.				40,9	37	Telephone	858-410-8927			
Signature le le							Date	November 16,	2004	

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NOV 1 6 2004

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DESTINATION FOR EXTENSION OF TIME LINDER 37 CER 1 136(a)			Docket Number (Optional)		
PETITION FOR EXTENSION OF TIME UNDER 37 CFR 1.136(a) FY 2005			GP034-03.DV1		
(fees effective on or after October 1, 2004)			GF034-03,DV1		
Applica	ation N	lumber 08/480,472		Filed June 6, 199	5
For I	Nuclei	c Acid Sequence Amplification			
Art Un	it 16	531	:	Examiner Marsch	nel, A.
applica	ation.	uest under the provisions of 37 CFR 1.1			
The re	queste	ed extension and fee are as follows (che			e fee below):
		•	<u>Fee</u>	Small Entity Fee	_
		One month (37 CFR 1.17(a)(1))	\$110	\$55	\$
	X	Two months (37 CFR 1.17(a)(2))	\$430	\$215	s_430.00
		Three months (37 CFR 1.17(a)(3))	\$980	\$490	S
		Four months (37 CFR 1.17(a)(4))	\$1530	\$765	\$
		Five months (37 CFR 1.17(a)(5))	\$2080	\$1040	\$
	Applic	ant claims small entity status. See 37 Cl	FR 1.27.		
	A che	ck in the amount of the fee is enclos	sed.	•	
	Paym	ent by credit card. Form PTO-2038	is attached.		
	The C	Pirector has already been authorized	to charge fees in this	application to a Dep	osit Account
		Director is hereby authorized to chargosit Account Number 07-0835	ge any fees which may	y be required, or cred re enclosed a duplica	dit any overpayment, ate copy of this sheet.
WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.					
I am the applicant/inventor.					
assignee of record of the entire interest. See 37 CFR 3.71. Statement under 37 CFR 3.73(b) is enclosed (Form PTO/SB/96).					
attorney or agent of record. Registration Number 40,937					
attorney or agent under 37 CFR 1.34. Registration number if acting under 37 CFR 1.34					
	(.	1. 18 J		November 16	6, 2004
-	1	Signature	• .		Date
Charles B. Cappellari			(858) 410-8930		
-		Typed or printed name		Teleph	none Number
NOTE:	NOTE: Signatures of all the Inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below.				
1 <u>-</u>	Total of 1 forms are submitted				

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PETITION FOR EXTENSION OF TIME UNDER 37 CFR 1.136(a)	Docket Number (Optional)			
FY 2005 (fees effective on or after October 1, 2004)	GP034-03.DV1			
Application Number 08/480,472	Filed June 6, 1995			
For Nucleic Acid Sequence Amplification				
Art Unit 1631	Examiner Marschel, A.			
This is a request under the provisions of 37 CFR 1.136(a) to extend the period application.				
The requested extension and fee are as follows (check time period desired a				
<u>Fee</u>	Smail Entity Fee			
☐ One month (37 CFR 1.17(a)(1)) \$110	\$55 \$			
☐ Two months (37 CFR 1.17(a)(2)) \$430	\$215 \$ <u>430.00</u>			
☐ Three months (37 CFR 1.17(a)(3)) \$980	\$490			
Four months (37 CFR 1.17(a)(4)) \$1530	\$765 \$			
Five months (37 CFR 1.17(a)(5)) \$2080	\$1040 \$			
Applicant claims small entity status. See 37 CFR 1.27.				
A check in the amount of the fee is enclosed.				
Payment by credit card. Form PTO-2038 is attached.				
☐ The Director has already been authorized to charge fees in this	application to a Deposit Account.			
The Director is hereby authorized to charge any fees which may be required, or credit any overpayment, to Deposit Account Number 07-0835 l have enclosed a duplicate copy of this sheet.				
WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.				
FIDURE GEGIL CARD INTERNATION BIG SECTION OF TOTAL				
I am the applicant/inventor.				
assignee of record of the entire interest. See 37 CFR 3.71. Statement under 37 CFR 3.73(b) is enclosed (Form PTO/SB/96).				
attorney or agent of record. Registration Number 40,937				
attorney or agent under 37 CFR 1.34. Registration number if acting under 37 CFR 1.34				
(le Of	November 16, 2004			
Şignature	Date			
Charles B. Cappellari	(858) 410-8930			
Typed or printed name	Telephone Number			
NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below.				
X Total of 1 forms are submitted.	<u> </u>			

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